

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

HEADWATER RESEARCH LLC,

*Plaintiff,*

v.

AT&T SERVICES, INC., AT&T  
MOBILITY, LLC and AT&T  
ENTERPRISES, LLC.,

*Defendants.*

Civil Action No. 2:23-cv-00397-JRG-RSP

**JURY DEMANDED**

**DECLARATION OF EMILY TANNENBAUM**

I, Emily Tannenbaum, declare as follows:

I am an attorney with the law firm of McKool Smith PC (“McKool Smith”), counsel for Defendant. I make this declaration in support of Defendants’ Motion for Miscellaneous Relief as to the Court’s Adoption of Plaintiff’s Unopposed Motion to Adopt Claim Construction of “Intercepting” in Claims 79 and 83 of the ’541 Patent (U.S. Patent No. 8,589,541) (Dkt. No. 270). Unless otherwise stated, the matters contained in this declaration are of my own personal knowledge and, if called as a witness, I could and would testify competently to the matters set forth herein.

1. Attached as **Exhibit 1** to this Declaration is a true and accurate copy of email exchange between Plaintiff and Defendants’ counsel from July 28 to July 29, 2025, related to the Unopposed Motion to Adopt Claim Construction of “Intercepting.”

2. Attached as **Exhibit 2** to this Declaration is a true and accurate copy of Chief Judge Rodney Gilstrap’s Standing Order on Motions *in Limine* involving allegations of patent infringement, dated December 14, 2022.

3. Attached as **Exhibit 3** to this Declaration is a true and accurate copy of email from Emily Tannenbaum to counsel for Headwater, dated August 4, 2025.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 4, 2025, in New York, New York.

/s/ Emily Tannenbaum  
Emily Tannenbaum